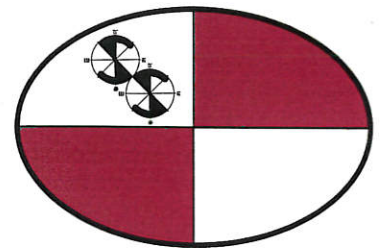


SANDS SURVEYING, INC.

2 Village Loop Road
Kalispell, MT 59901
406-755-6481
Fax 406-755-6488



April 4, 2016

Flathead County Planning and Zoning Office
1035 First Avenue West
Kalispell, MT 59901

RE: Subdivision 292 Major Subdivision Application

Dear Planning Staff;

Attached please find materials relating to a major subdivision application as noted above. It is just a two-lot subdivision, however, as the parent tract has been divided more than five times since 1973, it is considered to be a subsequent minor subdivision, so it falls under all of the rules and regulations as a major subdivision would.

This same applicant has submitted a zone change application for the property, which was submitted last month. The approval of the subdivision is contingent on the approval of the R-1 to R-2 map amendment proposal. However, I would like to utilize the same adjoining landowner list as submitted for the zone change for this major subdivision application as it has not yet expired.

The owner of the property is different than the applicant and is very ill at this time. I have signed the subdivision application on his behalf. He was in better health at the time of the zone change application submittal and did sign that document. Should his health improve, I will be able to obtain a signature on the subdivision application and the environmental assessment.

I will be out of town on the date the Planning Board holds the public hearing for the zone change application, however, my colleague, Eric Mulcahy will be present to speak on behalf of the applicant and answer any questions the planning board members and/or general public may have on this proposal. At this time, I anticipate being present for the public hearing on the subdivision application in June.

Thank you for your kind consideration of this application. If you have any questions or concerns, please do not hesitate to give me a call at 249-9774.

Sincerely,

Erica Wirtala, AICP
Sands Surveying, Inc.
2 Village Loop
Kalispell, MT 59901

APR - 4 2016

Will 4/4



Flathead County Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

APR 22 2016

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule)
to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 1245.00SUBDIVISION NAME: Subdivision 293**OWNER(S) OF RECORD:**Name: James Ruggles Phone: _____Mailing Address: 629 Alpine LaneCity, State, Zip: Kalispell, MT 59901

Email: _____

APPLICANT (IF DIFFERENT THAN ABOVE):Name: Albert Clarke Phone: 406-250-3942

Mailing Address: _____

City, State, Zip Code: _____

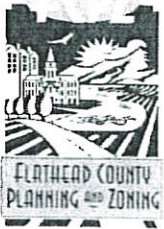
Email: _____

TECHNICAL/PROFESSIONAL PARTICIPANTS:Name: Sands Surveying, Inc. % Erica Wirtala Phone: 755-6481Mailing Address: 2 Village LoopCity, State, Zip: Kalispell, MT 59901Email: erica@sandssurveying.comName: Environmental Consulting % Jerry Lipp Phone: 755-6481Mailing Address: 2 Village LoopCity, State, Zip: Kalispell, MT 59901

Email: _____

LEGAL DESCRIPTION OF PROPERTY:Street Address 629 Alpine LaneCity/State & Zip Kalispell, MT 59901Assessor's Tract No.(s) 5JA Lot No.(s) _____Section 27 Township 29 Range 21

Due 4/4



Flathead County

Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

APR - 4 2016

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 1245.⁰⁰

SUBDIVISION NAME: Subdivision 292

OWNER(S) OF RECORD:

Name: James Ruggles Phone: _____

Mailing Address: 629 Alpine Lane

City, State, Zip: Kalispell, MT 59901

Email: _____

APPLICANT (IF DIFFERENT THAN ABOVE):

Name: Albert Clarke Phone: 406-250-3942

Mailing Address: _____

City, State, Zip Code: _____

Email: _____

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Sands Surveying, Inc. % Erica Wirtala Phone: 755-6481
249-9774

Mailing Address: 2 Village Loop

City, State, Zip: Kalispell, MT 59901

Email: erica@sandssurveying.com

Name: Environmental Consulting % Jerry Lipp Phone: 755-6481

Mailing Address: 2 Village Loop

City, State, Zip: Kalispell, MT 59901

Email: _____

LEGAL DESCRIPTION OF PROPERTY:

Street Address 629 Alpine Lane

City/State & Zip Kalispell, MT 59901

Assessor's Tract No.(s) 5JA Lot No.(s) _____

Section 27 Township 29 Range 21

GENERAL DESCRIPTION/TYPE OF SUBDIVISION: A two-lot subdivision for single family residences.

Number of Lots or Rental Spaces 2 Total Acreage in Subdivision 1.5 acres
Total Acreage in Lots 1.5 acres Minimum Size of Lots or Spaces .609
Total Acreage in Streets or Roads _____ Maximum Size of Lots or Spaces .891
Total Acreage in Parks, Open Spaces and/or Common Areas N/A

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family ☒ Townhouse _____ Mobile Home Park _____
Duplex _____ Apartment _____ Recreational Vehicle Park _____
Commercial _____ Industrial _____ Planned Unit Development _____
Condominium _____ Multi-Family _____ Other _____

APPLICABLE ZONING DESIGNATION & DISTRICT: R-2 (pending)

IS SUBJECT PROPERTY LOCATED WITHIN 3-MILE BUFFER OF KALISPELL, WHITEFISH, OR COLUMBIA FALLS? yes

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS: \$119,600

IMPROVEMENTS TO BE PROVIDED:

Roads: _____ Gravel _____ Paved _____ Curb _____ Gutter _____ Sidewalks _____ Alleys _____ Other _____

* Water System: _____ Individual _____ Shared _____ Multiple User ☒ Public

* Sewer System: ☒ Individual _____ Shared _____ Multiple User _____ Public

Other Utilities: _____ Cable TV _____ Telephone _____ Electric _____ Gas _____ Other _____

Solid Waste: _____ Home Pick Up _____ Central Storage ☒ Contract Hauler _____ Owner Haul

Mail Delivery: _____ Central ☒ Individual _____ School District: Evergreen

Fire Protection: _____ Hydrants _____ Tanker Recharge _____ Fire District: Evergreen

Drainage System: On-site

* **Individual** (one user)

Shared (two user)

Multiple user (3-9 connections or less the 25 people served at least 60 days of the year)

Public (more than 10 connections or 25 or more people served at least 60 days of the year)

* If the water supply and wastewater treatment systems are shared, multiple user, or public, provide a statement of whether the systems will be public utilities as defined in 69-3-101 and subject to the jurisdiction of the public service commission or exempt from public service commission jurisdiction. If exempt, provide an explanation for the exemption.

PROPOSED EROSION/SEDIMENTATION CONTROL: Site is already built-out.
Minor controls needed when drainfield is installed.

VARIANCES: ARE ANY VARIANCES REQUESTED? NO (yes/no)
(If yes, please complete the information on page 3)

SECTION OF REGULATIONS CREATING HARDSHIP: _____

PLEASE RESPOND TO THE FOLLOWING STATEMENTS IN THE SPACES PROVIDED BELOW: (The Commission shall not approve a variance unless it finds that all of the following are met)

1. The variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.

2. Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self imposed.

3. The variance will not cause a substantial increase in public costs, now or in the future.

4. The variance will not place the subdivision in nonconformance with any adopted growth policy, neighborhood plan or zoning regulations.

5. The variance is consistent with the surrounding community character of the area.

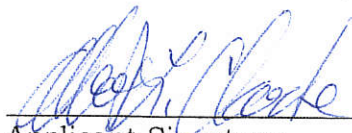
APPLICATION CONTENTS:

1. Completed Preliminary Plat application (*If submitting bound copies of the application materials, please also include one unbound copy for replication purposes*).
2. 14 folded copies of the preliminary plat. (*Either 18" X 24" or 24" X 36" per Appendix B- Flathead County Subdivision Regulations*).
3. One reproducible set of supplemental information (*See Appendix B -Flathead County Subdivision Regulations*).
4. One reduced copy of the preliminary plat not to exceed 11" x 17" in size.
5. Application fee.
6. An 'Adjoining Property Owners List' request form must be submitted with the application, with a separate fee (*see attached form*). The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.

This application shall be submitted, along with all information required by the applicable Subdivision Regulations and the Montana Subdivision and Platting Act, and the appropriate fee to:

**Flathead County Planning & Zoning Office 1035 First Avenue West
Kalispell, Montana 59901 - Phone: (406) 751-8200 Fax: (406) 751-8210**

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning and Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.


Applicant Signature

3-28-16
Date


Owner(s) Signature (*all owners must sign*)

4-4-16
Date

Subdivision 292 Application Supplements:

- a. A fee simple property deed-*See attached deed (Index Tab 2)*
- b. A copy of each COS pertaining to the subject parcel since 1973. (Index Tab 2)
- c. Environmental Assessment –*See attached EA (Index Tab 3)*
- d. Not a first minor-*See attached COS*
- e. Not in the Wildlife Fire Interface-*This area is not mapped in the WUI.*
- f. Flood hazard evaluation-*This area is mapped Zone X on FEMA Panel 30029C 1810J*
- g. Conceptual storm water drainage plan-*See attached, included in sanitation package (Index Tab 4)*
- h. Dust control plan-*See attached Dust Control Plan (Index Tab 5)*
- i. Copies of easements or proposed easements (none)
- j. Copies of any existing Road Approach Permits-*There are no existing road approach permits on file at the Flathead County Road and Bridge.*
- k. No adjoining/adjacent properties are owned by the subdivider
- l. CCR/HOA docs-*None existing*
- m. No common property is to be dedicated with this subdivision-*No Parkland dedication is required*
- n. No CCRs/HOA docs are proposed
- o. No roads are being constructed-*Direct access onto Alpine Drive*
- p. A "Will Serve" letter from Evergreen Water District-*See attached letter (Index Tab 6)*
- q. A description and map of the proposed subdivision's water supply systems, solid waste disposal systems, and wastewater treatment systems, including whether the water supply and wastewater treatment systems are individual, shared, multiple user or public as those systems are defined in rules published by the MDEQ. The map must show the location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots the following:
 - a. 100-year floodplain –*N/A*
 - b. Surface water features-*N/A*
 - c. Existing, previously approved proposed water wells and wastewater systems
 - d. Location, within 500' outside of the exterior property line of the subdivision, of public water and sewer facilities. (Index Tab 5) *WA*
- r. Evidence of suitability for new onsite wastewater treatment systems which include:
 - a. Soil profile descriptions from a representative drain field site or sites identified on the vicinity map that complies with standards published by the MDEQ.
 - b. Demonstration that each soil profile contains a minimum of four feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment systems and a limiting layer;
 - c. In cases in which the soil profile or other information indicates that ground water is within five feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance. (Index Tab 5) *WA*
- s. For new water supply systems, unless storage tanks are proposed, evidence of adequate water availability, which includes information from:-*N/A Water is being provided by Evergreen Water District (Index Tab 6)* *J*

- t. Evidence of sufficient water quality in accordance with rules adopted by the MDEQ
- u. A preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems. (Index Tab 5)
- v. A drawing of the conceptual lot layout at a scale no smaller than 1" equal to 200' that shows all information required for a lot layout document in the rules adopted by MDEQ. (Index Tab 5)
- w. Information regarding the disposition of water rights. (Index Tab 7) This includes copies of any water rights owned by the land owner to be reserved and/or transferred. The subdivider shall indicate a proposal to:
 - a. Reserve all or a portion of the appropriated water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the water;
 - b. Establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water if the subdivision creates parcels with lot sizes averaging less than 5 acres and the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots; or
 - c. Reserve and sever all surface water rights from the land.

The owner of the property, James Ruggles, has existing water rights on the subject property (Lot 2). See attached abstract from DNRC. He will retain all water rights as the newly created parcel (Lot 1) will be served by a public water system.

- x. For major subdivision, an adjoining list of all tracts, lots or land parcels adjoining the proposed subdivision together with the name and address of the owner of each tract, lot or land parcel certified by the clerk and recorder, GIS Office or title company, generated not more than 30 days prior to the application submittal. Where the proposed subdivision abuts a public right-of-way, or rivers less than 150' in width, the properties across such right-of-way or water course shall be considered adjacent-*The zone change application for this same property was submitted on March 8th, 2016 and within that application was a title report and a certified adjacent landowner list from the Flathead County GIS department.*
- y. A draft Latecomers Agreement pursuant to Section 4.0.17 and Appendix I –*No Latercomers Agreement is necessary. Only the extension of a water service line is necessary. Existing water mains are in place and maintained by the Evergreen Water District.*
- z. A clear written description of directions to the subject site for vehicle travel – *See attached Google map directions from Flathead County Planning and Zoning to 629 Alpine Drive.* (Index Tab 8)
- aa. One or more site location maps on 11" x 17" paper. Site location maps shall be clear, concise and reproducible, showing the following:
 - a. The locations of the proposed subdivision in relation to the nearest town, highway and road system,

- b. Vehicle access to the subdivision from the adjoining or nearest public roads
- c. Names of any adjoining platted subdivision and/or numbers of adjoining COS on record in the Office of the Clerk and Recorder. (Index Tab 9)
- bb. A description of any existing or proposed stream bank or shoreline alterations and any proposed construction or modification of lake beds or stream channels. Provide information on location, extent, type and purpose of alteration. *—There are no such features within this subdivision.*
- cc. A description of all existing and proposed easements or right-of-ways for utilities, or other purposes on or adjacent to the proposed subdivision, including:
 - a. A description of each easement width
 - b. The approximate on-site location, size and depth of existing water and sewer mains, fire hydrants, gas, electric and telephone lines as well as the nearest off-site location of the above-named utilities.
 - c. All on-suite utility descriptions shall be referenced on the preliminary plat.
- dd. A request for any/all variances to these Regulations-*No variances are being requested with this application.*